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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Takashi Suda

1046.1231 (JDH)

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11/09/2006

STAAS & HALSEY LLP  
SUITE 700  
1201 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

EXAMINER

DIVECHA, KAMAL B

ART UNIT

PAPER NUMBER

2151

DATE MAILED: 11/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/764,350

Applicant(s)

SUDA, TAKASHI

Examiner

KAMAL B. DIVECHA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**Response to Arguments**

Claims 1-4, 6, 8-21 are pending in this application.

Claims 5 and 7 have been cancelled.

Claim 21 is a newly added claim.

Applicant's arguments filed on September 05, 2006 with respect to claims 1-4, 6, 8-21 have been considered but are moot in view of the new ground(s) of rejection, as necessitated by the applicant's substantial amendments through the incorporation of "wherein said deleting occurs based on access failure of a website, wherein, if the number of times the access failure has occurred with respect to one of the addresses contained in said address list becomes equal to a predetermined threshold value, said updating section deletes the one of the addresses from said address list, and wherein said updating section has a line connected for reference to the website, and if no input is supplied over a predetermined time period with respect to reference to any of the web sites, said updating section tries to access each of the addresses contained in said address list and deletes an address from said address list if the number of times failure has occurred continuously becomes equal to a predetermined threshold value by failure of said tries", into the independent claims, and as well as cancellation of claims 5, and 7, has affected the scope of pending claims thereof.

**DETAILED ACTION**

**Claim Objections**

Claim 11 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 11 depends on claim 5, however the applicant has canceled claim 5.

**Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claim 21 is rejected under 35 U.S.C. 102(e) as anticipated by Thomas (US 6,401,118 B1).

As per claim 21, Thomas discloses a method for managing website addresses (see Abstract), comprising:

deleting at least one website address from a list when a website associated with the website address becomes inaccessible, wherein, if the number of times the inaccessibility has occurred with respect to one of the addresses contained in said address list becomes equal to a predetermined threshold value, said updating section deletes the

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one of the addresses from said address list (col. 7 L30-35, col. 14 L20-41: i.e. a RETRY mechanism is utilized before the url is deleted).

**Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 6 and 8-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al. (hereinafter Li, US 6,631,496 B1) in view of Thomas (US 6,401,118 B1).

As per claim 1, Li explicitly discloses an apparatus for managing addresses of websites comprising:

an address list containing addresses of website (col. 2 L36-46 to col. 3 L7, col. 11 L12-45);

a monitoring section monitoring a state of user references to web sites (col. 2 L36 to col. 3 L7, col. 10 L14-67); and

an updating section updating the contents of said address list according to the state of user references monitored by said monitoring section, said updating including deleting from and adding to the contents of said address list according to the state of user references wherein said deleting occurs based on access failure of a website, and wherein said updating section has a line connected for reference to the website, and if no input is supplied over a predetermined time period with respect to reference to any of the web

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sites, said updating section tries to access each of the addresses contained in said address list and deletes an address from said address (col. 7 L15 to col. 8 L60, col. 10 L14 to col. 11 L45, and fig. 19: clearly summarizes Li's invention).

However, Li does not disclose a means wherein, if the number of times the access failure has occurred with respect to one of the addresses contained in said address list becomes equal to a predetermined threshold value, said updating section deletes the one of the addresses from said address list, said updating section tries to access each of the addresses contained in said address list and deletes an address from said address list if the number of times failure has occurred continuously becomes equal to a predetermined threshold value by failure of said tries (i.e. a typical "retry mechanism" before deleting the addresses from the list, or testing the number of times access failure has occurred before deleting the addresses from the list as per applicant).

Thomas, from the same field of endeavor, explicitly discloses a means for a retry mechanism wherein if the number of times the access failure has occurred with respect to one of the addresses contained in said address list becomes equal to a predetermined threshold value, said updating section deletes the one of the addresses from said address list, said updating section tries to access each of the addresses contained in said address list and deletes an address from said address list if the number of times failure has occurred continuously becomes equal to a predetermined threshold value by failure of said tries (col. 7 L30-35, col. 14 L20-41: i.e. a RETRY mechanism is utilized before the url is deleted).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Li in view of Thomas, in order to delete the addresses from

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the list of the number of times failure has occurred becomes equal to a predetermined threshold value by failure of said tries.

One of ordinary skilled in the art would have been motivated because it would have removed the url's from the list that are not responding, inactive, down, and/or offline (Thomas, col. 7 L30-35).

As per claim 2, Li discloses the apparatus further comprising a connection section accessing to an address contained in said address list in case the address is designated (i.e. incase the address is selected for access, col. 1 L56-67, col. 4 L21-34, col. 5 L34-53, col. 6 L4-21).

As per claim 3, Li discloses the apparatus wherein said monitoring section records the frequency of access to the address of each web site as a content of said state of references, and said updating section adds, to said address list, an address with an access frequency reached to a predetermined threshold value (i.e. adding the address into the list of addresses based on its popularity or access times, col. 10 L14-30 and fig. 19).

As per claim 4, Li discloses the apparatus wherein said monitoring section records the frequency of access to the address of each web site as a content of said state of references, and said updating section deletes, from said address list, any of the addresses in said address list with an access frequency lower than a predetermined threshold value (fig. 19 and col. 11 L3-34).

As per claim 6, Li discloses an apparatus wherein the access frequency with respect to each of the web sites is updated each time access the web site results in success, and wherein when the access frequency is updated, said updating section makes a determination whether or note the access frequency has reaches the predetermined threshold value (col. 10 L14 to col. 11 L45 and fig. 19).

As per claim 8, Li discloses the apparatus further comprising a supply section supplying a user with a setting window to enable the user to set the predetermined threshold value (col. 14 L30 to col. 15 L34 and fig. 19).

As per claim 12, Li discloses the apparatus wherein said updating section is activated when an operating system controlling said address management apparatus is activated (fig. 19, col. 3 L3-5).

As per claim 15, Li discloses an apparatus wherein the access frequency is the number of occurrences of access in a unit number of days, and said updating section is activated when the date is changed (col. 5 L54-67 and fig. 19).

As per claim 18, Li discloses the apparatus wherein said updating section is activated when the setting of the predetermined threshold value is changed by the user (fig. 19).

As per claims 9-11, 13, 14, 16, 17, 19 and 20, they do not teach or further define over the limitations in claims 1-4, 6, 8, 12, 15 and 18. Therefore claims 9-11, 13, 14, 16, 17, 19 and 20 are rejected for the same reasons set forth in claims 1-4, 6, 8, 12, 15 and 18.

#### **Additional References**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Peerey et al., US 5,960,429: Multiple Reference Hotlist for identifying frequently retrieved web page.
- b. Bates et al., US 6,100,890, Automatic Bookmarks.



**Conclusion**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAMAL B. DIVECHA whose telephone number is 571-272-5863. The examiner can normally be reached on Increased Flex Work Schedule.

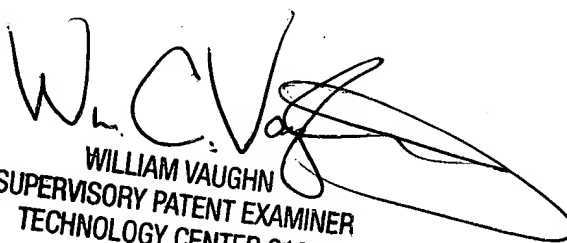
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Kamal Divecha  
Art Unit 2151  
November 6, 2006.



WILLIAM VAUGHN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100